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Licensee:

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WHEREAS, Licensee had signed his Participation Agreement with HPAP on July 31, 2017; and

WHEREAS, on November 14, 2017, the Board was notified by HPAP of Licensee's unsuccessful discharge from the program. A discharge letter was issued by the HPAP program.

WHEREAS, Board staff attempted to contact the Licensee in regard to this discharge on November 21, 2017. The Licensee has not returned any calls to the Board, nor has he answered any messages that have been left for him on his phone despite numerous attempts to contact him; and

WHEREAS, based upon the affidavit of Francie Miller and the above stated conduct, the Board has concluded that Licensee's actions require emergency action, in that Licensee's actions may endanger the health and safety of those who are or will be entrusted to his care; and

WHEREAS, the Board, has a statutory obligation to protect the health, safety and welfare set forth in SDCL §36-9, including the protection of the public from unsafe nursing practices and practitioners.

NOW THEREFORE IT IS HEREBY ORDERED:

1. That the Board has jurisdiction of the Licensee and the subject matter of this Order.
2. That based on the above, the Board specifically finds that the actions of the Licensee endanger the public health, safety and welfare, and imperatively require emergency action in that Licensee may endanger the health and safety of those persons who are or will be entrusted to his care and that these are matters of a nature that would constitute further grounds for discipline of his license to practice nursing under SDCL § 36-2A and SDCL § 36-9-49 (4), (5), (7) and (10).

3. Based upon these findings, Licensee's license to practice nursing in South Dakota is hereby summarily suspended. Licensee may petition according to SDCL § 36-9-57 for reinstatement of his license at any time for "good cause."


4. Licensee is hereby notified that any practice of or holding himself out as a registered nurse during the terms of this Order for Summary Suspension is a violation of SDCL § 36-9-68.

5. This action is reportable discipline and will be published in the Board's newsletter and posted on its website and reported into the National Practitioner Data Bank (NPDB) as required by law.

The South Board of Nursing met on the 8th day of February, 2018, and approved this Order for Summary Suspension by a vote of 8-0, and issues its Order for Summary Suspension consistent herein as follows:

IT IS HEREBY ORDERED that the above is adopted as an Order of the South Dakota Board of Nursing this 5th day of March, 2018.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, RN, MS
Executive Director

NOTICE OF HEARING

The South Dakota Board of Nursing ("Board") pursuant to SDCL §§ 1-26-16, 1-26-27, and 1-26-29, hereby provides this Notice of Hearing to Blake Swee, RN, License No. R045625 ("Licensee") as follows:

1. Hearing on the Order of Summary Suspension will take place before the Board on April 20th, 2018, at 9:00 A.m. at the office of the South Dakota Board of Nursing, 4305 S. Louise Avenue, Suite 201, Sioux Falls, South Dakota.
2. This matter is an adversarial proceeding and Licensee has the right to be present at the hearing and to be represented by an attorney. These due process rights will be forfeited if they are not exercised at the hearing.
3. The hearing will address the Board's assertion, as set forth in its Summary Suspension, that the Licensee, by his conduct, violated SDCL § 36-2A and SDCL § 36-9-49 (4), (5), (7) and (10).
4. At the hearing, the Board will determine whether the Licensee's license shall be suspended, revoked or subject to other disciplinary action as determined by the evidence presented.
5. Licensee has a right to request that the agency use the Office of Hearing Examiners for this proceeding by giving notice of the request to the Board no later than ten (10) days after the service of this Notice of Hearing on Order for Summary Suspension.
6. A decision issued by the Board after the hearing may be appealed to the circuit court and to the state Supreme Court as provided by law.

Order for Summary Suspension and Notice of Hearing
Licensee: Blake Swee, RN

Dated this 5th day of march, 2018.

SOUTH DAKOTA BOARD OF NURSING

A handwritten signature in cursive script, reading "Gloria Damgaard", written over a horizontal line.

Gloria Damgaard, RN, MS
Executive Director